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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,239	03/30/2004	Ratinder Paul Ahuja	06897.P007	8137
78855	7590	11/30/2009	EXAMINER	
Patent Capital Group 6119 McCommas Blvd Dallas, TX 75214			CHEN, SHIN HON	
			ART UNIT	PAPER NUMBER
			2431	
			NOTIFICATION DATE	DELIVERY MODE
			11/30/2009	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/815,239	<b>Applicant(s)</b> AHUJA ET AL.	
	<b>Examiner</b> SHIN-HON CHEN	<b>Art Unit</b> 2431	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,8,10-12,14-16 and 18-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,8,10-12,14-16 and 18-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/10/09</u> .   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 1, 3-5, 8, 10-12, 14-16, and 18-23 have been examined.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 7-12 and 14-23 rejected under 35 U.S.C. 103(a) as being unpatentable over Peled et al. U.S. Pub. No. 20020129140 (hereinafter Peled) in view of Tarquini U.S. Pub. No. 20030084326 (hereinafter Tarquini).

4. As per claim 1, Peled discloses a computer implemented method comprising: maintaining a plurality of stored signatures, each signature being associated with one of a plurality of registered documents (Peled: [0013]: signature of protected data is stored); intercepting packets being transmitted over a network (Peled: [0055]: the network is a packet network and the transport data monitor enable the signature extractor to extract a signature from a buffered/intercepted batch of packets); reassembling the packets into an intercepted document (Peled: [0055] lines 3-4: buffered batch of packets); calculating a set of signatures associated with the intercepted document (Peled: [0054]-[0056]: extract signature and the signature extractor comprises a binary hash function used to calculate signatures); and comparing the set of

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signatures associated with the intercepted document with the plurality of stored signatures to determine if the intercepted document contains content associated with a registered document, wherein each registered document is associated with a user that requested registration of the document, wherein a capture system that maintains the stored signatures is configured to allow the intercepted document to be forwarded from the capture system to its intended destination at a network node unless a capture rule prohibits forwarding the intercepted document based on the intercepted document including one or more objects (Peled: [0020]: comparator; [0011]: protect rightful usage and privacy of users; [0019]: the database of at least one preobtained description of content whose movement it is desired to monitor; figure 1: after policy enforcement the document goes through outward export 108).

Peled discloses audit unit for preparing and storing unit reports of transportation of data identified as corresponding to content it is desired to monitor (Peled: [0079]). Peled does not explicitly disclose the user being alerted if an attempt to transmit the registered document over a network is made, whereby an alert element is configured during the requested registration of the registered document. However, Tarquini discloses alerting an administrator or user of suspicious activities based on the audit log (Tarquini: [0030]). It would have been obvious to one having ordinary skill in the art to allow the user to be notified of suspicious activities detected by the system because they are analogous art to prevent unauthorized data communication. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to combine the teachings of Tarquini within the system Peled because it allows the system to take security measures upon detection as well known in the art.

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5. As per claim 3, Peled as modified discloses the method of claim 1. Peled as modified further discloses if the comparison results in a match of at least one of the signatures in the set of signatures with one or more of the plurality of stored signatures, then detecting registered content from the registered document being contained in the intercepted document (Peled: [0027]: multilevel description includes signature).

6. As per claim 4, Peled as modified discloses the method of claim 3. Peled as modified further discloses alarming the user that requested registration of the registered document in response to detecting the registered content (Peled: [0092]: taking enforcement action).

7. As per claim 5, Peled as modified discloses the method of claim 3. Peled as modified further discloses halting delivery of the intercepted document (Peled: [0079]).

8. As per claim 7, Peled as modified discloses the method of claim 1. Peled as modified further discloses wherein calculating the set of signatures of the intercepted document comprises calculating a plurality of hashes over one or more portions of the intercepted object (Peled: [0057]: hash).

9. As per claim 8, 10-12, 14-16, and 18-23, claims 8, 10-12, 14-16, and 18-23 encompass the same scope as claims 1, 3-5 and 7. Therefore, claims 8, 10-12, 14-16, and 18-23 are rejected based on the same reasons set forth above in rejecting claims 1, 3-5 and 7.

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10. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peled in view of Tarquini and further in view of Koike U.S. Pub. No. 20030084300 (hereinafter Koike).

11. As per claim 6, 13 and 21, Peled as modified discloses the method of claims 5, 12 and 20 respectively. Peled as modified does not explicitly disclose prompting the user that registered the registered document for permission to deliver the intercepted object, receiving permission from the user, and completing delivery of the intercepted object in response to receiving permission. However, Koike discloses when a privacy data administrator detects a match in the privacy filter, transmit a inquiry to user as to whether it is allowed to provide the data, and provide data upon permission by user (Koike: [0024]). It would have been obvious to one having ordinary skill in the art to allow the owner of the data to determine the action to be performed upon detection of unauthorized transport because both prior art disclose prevention of protected data from unauthorized access. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of Koike within the combination of Peled-Tarquini because it enforces dynamic rules on the user preference.

### ***Response to Arguments***

12. Applicant's arguments filed 8/10/09 have been fully considered but they are not persuasive.

Regarding applicant's remarks, applicant mainly argues that the prior art of record does not explicitly disclose forwarding the intercepted document unless the captured rule prohibits forwarding the intercepted document based on the document including one or more objects.

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However, the examiner disagrees. Peled discloses policy enforcement module to inspect data packets based on transport rules to ensure data privacy and the data is forwarded subsequent to inspection (Peled: [0011]). Therefore, applicant's argument is traversed in light of above explanation.

### *Conclusion*

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHIN-HON CHEN whose telephone number is (571)272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shin-Hon Chen  
Primary Examiner  
Art Unit 2431

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